



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 025-18

806 VINE AVENUE

MODIFICATIONS

JUNE 20, 2018

APPLICATION OF KEITH RIVERA, ARCHITECT FOR JACK DELANO FAMILY LIMITED PARTNERS, 806 VINE AVENUE, APN 031-023-009, R-M ZONE (RESIDENTIAL MULTI-UNIT), GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2017-00528)

The proposed project involves relocating an existing 1,631 square foot (net) duplex from 415 Old Coast Highway to the subject 9,494 square foot lot that is currently developed with a 1,283 square foot (net) single family residence. The relocated duplex would be converted to a single family residence and 680 square feet (net) of new habitable space is proposed as an understory to the residence along with a new 857 square foot (net) three-car garage. The two tandem parking spaces in the garage would serve the relocated unit, and the third parking space in the garage would serve the existing on-site unit. The existing single family residence on-site will remain, and no work for the unit is proposed. Site work, including new landscaping, hardscaping, grading, utilities, site fences and walls, and below-grade storm water chambers, is also proposed. The project also includes the demolition of an existing 36" tall site wall at the rear of the lot, removal of a hedge along the Olive Street frontage, and demolition of a 60 square foot (net) detached shed in the rear yard.

The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

1. Open Yard Modification to allow the proposed open yard to be less than the required 1,250 square feet with less than the required 20'-0" x 20'-0" minimum dimensions (SBMC §30.140.140 and SBMC §30.250.030.B); and,
2. Interior Setback Modification to allow two closets and bathroom window to encroach into the required interior setback (SBMC §30.30.20.030.B and §30.250.030.B).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15305 (Minor Alterations in Land Use Limitations).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and 1 person appeared to speak with concerns, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 13, 2018
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

I. Approved the subject application, making the following findings and determinations:

1. The Open Yard Modification is consistent with the purposes and intent of the Zoning Ordinance, is necessary to secure an appropriate improvement on the lot, and will result in development that is generally consistent with existing patterns of development for the neighborhood. The reduced open yard would allow for the relocation of a structure designated as a Structure of Merit, thereby preventing its demolition, and would provide on-site covered parking for the two residential units on the site. The necessary turn-around area for the covered parking reduces the amount of useable open yard, but only the minimum amount of paving is proposed to make the design function. The proposed open yard would be approximately 935 square feet and includes both on-grade and deck-level outdoor space. Further, both units would have private front porches that, while they technically cannot be counted towards required open yard, do provide additional outdoor living opportunities.
2. The Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement (retention of original fabric of the historic structure) on the lot. The overall structure is approximately 3'-5" too wide to be situated on the site entirely out of the required interior setbacks, the extent of the interior setback encroachment request. The Urban Historian and Historic Landmarks Commission has reviewed the proposed encroachments and confirmed it is original to the structure. The encroachments are two closets and a window for a bathroom. No privacy issues are anticipated for the subject or neighboring property due to existing landscaping and fencing.

II. Said approval is subject to the following conditions:

- A. If the project description is revised so that it no longer includes the relocation and preservation of the designated Structure of Merit currently located at 415 Old Coast Highway, the Modifications shall be deemed null and void.
- B. The proposed half bathroom in the lower level family room shall be redesigned to not exceed the minimum distance requirements for toilet and sink in the Building Code (generally a maximum of 5'x5' or 7'x3') to make the installation of a bathing facility infeasible.
- C. ***Archaeological Resources Contractor Notification.*** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such

archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

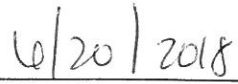
A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

This motion was passed and adopted on the 20th day of June, 2018 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Krystal M. Vaughn, Staff Hearing Officer/Secretary



Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action, your next administrative step should be to apply for Historic Landmarks Commission (HLC) approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire three (3) years from the date of the approval, per SBMC §30.205.120, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.